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04/06/2000

Dushyant Sharma

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01/19/2010

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EXAMINER

AUGUSTIN, EVENS J

ART UNIT

PAPER NUMBER

3621

NOTIFICATION DATE

DELIVERY MODE

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ELECTRONIC

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1 UNITED STATES PATENT AND TRADEMARK OFFICE

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4 BEFORE THE BOARD OF PATENT APPEALS
5 AND INTERFERENCES
6

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8 *Ex parte* DUSHYANT SHARMA
9

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11 Appeal 2009-004854
12 Application 09/543,938
13 Technology Center 3600
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16 Decided: January 14, 2010
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20 *Before* MURRIEL E. CRAWFORD, HUBERT C. LORIN, and BIBHU R.
21 MOHANTY, *Administrative Patent Judges*.

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23 CRAWFORD, *Administrative Patent Judge*.
24

25
26 DECISION ON APPEAL

STATEMENT OF THE CASE

Appellant appeals under 35 U.S.C. § 134 (2002) from a final rejection of claims 2-10, 13, 17, 22-30, 32-34, 39, 41-43, 50, and 82-97. We have jurisdiction under 35 U.S.C. § 6(b) (2002).

Appellant invented systems and methods for providing end-to-end electronic bill presentment and payment systems, processes, and functionality (Spec. 1:3-5).

Claim 82 under appeal is further illustrative of the claimed invention as follows:

82. An electronic bill presentment and payment system for presenting and paying bills via an electronic data network, comprising:

(a) an input processing functionality adapted to receive billing data from a plurality of billers in a plurality of different billing data forms;

(b) a parsing functionality adapted to parse the billing data received from the plurality of billers in a plurality of different billing data forms to transform the billing data into a common document model wherein the transformed billing data is all of the same form;

(c) a database adapted to store the transformed billing data parsed by the parsing functionality;

(d) presentation functionality coupled to the database and adapted to retrieve transformed billing data from the database and to output at least some of the retrieved transformed billing data via the electronic data network for use by bill payers; and

(e) biller interactivity functionality coupled to the database and adapted to allow the plurality of billers individually to retrieve and review transformed billing data from the database and to alter the transformed billing data in the database.

1 The prior art relied upon by the Examiner in rejecting the claims on
2 appeal is:

3 Savage US 2002/0026394 A1 Feb. 28, 2002

4 The Examiner rejected claims 2-10, 13, 17, 22-30, 32-34, 39, 41-43,
5 50, and 82-97 under 35 U.S.C. § 102(e) as being anticipated by Savage.

6
7 OPINION

8 We have carefully reviewed the rejections on appeal in light of the
9 arguments of the Appellant and the Examiner. As a result of this review, we
10 have reached the conclusion that the applied prior art does not establish the
11 prima facie obviousness of the claimed subject matter. Therefore the
12 rejections on appeal are reversed. Our reasons follow.

13 The following comprise our finding of facts with respect to the scope
14 and content of the prior art. Savage discloses a computerized method and
15 system of combined billing for at least one customer on a plurality of
16 customer accounts, including computer applications which automatically
17 assemble and aggregate account charges (Abstract). The combined billing
18 method and system affords providers of goods and/or services the
19 advantages of strategic cost savings and distribution opportunities. It also
20 affords such providers the ability to leverage off the financial institution's
21 expertise in receivable management, marketing, billing, and multi-premise
22 billing. It also gives such providers the ability to integrate their own
23 multiple accounts for a single customer with a single point-of-contact
24 customer care number, so that when the customer calls, the financial
25 institution understand exactly which account is meant, and forwards the call
26 accordingly ([0018]). The order processing system 120 generates

1 appropriate service requests for each new order and termination requests for
2 any cancellations within the system and creates a flat file containing this
3 information. A flat file is sent to each supply chain vendor 140 every night
4 ([0058], [0077]). The vendor database 199 creates and sends a flat file of
5 vendor line item charges to the retail company bill aggregators 124. The
6 retail company bill aggregator 124 receives the flat file, verifies the
7 formatting of line item, and returns invalid items to the vendor database 199
8 ([0104]).

9 The disagreement between the Appellant and the Examiner is with
10 respect to whether Savage discloses “biller interactivity functionality
11 coupled to the database and adapted to allow the plurality of billers
12 individually to retrieve and review transformed billing data from the
13 database and to alter the transformed billing data in the database” as recited
14 in independent claims 82 and 88 (App. Br. 14-28). None of the portions of
15 Savage cited by the Examiner¹ disclose the recited biller interactivity
16 functionality. According to the cited portions of Savage, the only interaction
17 billers have with the financial institution’s bill aggregator is (1) receiving
18 bill related questions from consumers via the financial institution and (2)
19 sending flat files to the retail company bill aggregator 124, and receiving
20 back flat files and/or listings of invalid items. None of these interactions
21 allow billers to individually “retrieve and review transformed billing data
22 from the database and to alter the transformed billing data in the database”
23 as recited in independent claims 82 and 88. Indeed, the Examiner’s Answer

¹ The Examiner cited Figures 1-3, 6, 8, 23, and 30, and paragraphs [0003], [0004], [0013], [0015], [0018], [0021], [0023], [0054], [0055], and [0058] of Savage as disclosing the subject matter of independent claims 82 and 88.

1 does not specifically address these aspects of independent claims 82 and 88.
2 Therefore, we are constrained to reverse all rejections on appeal.

3
4 **CONCLUSION OF LAW**

5 On the record before us, Appellant has shown that the Examiner erred
6 in rejecting claims 2-10, 13, 17, 22-30, 32-34, 39, 41-43, 50, and 82-97.

7
8 **DECISION**

9 The decision of the Examiner to reject claims 2-10, 13, 17, 22-30, 32-
10 34, 39, 41-43, 50, and 82-97 is reversed.

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12 **REVERSED**

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